CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

United States Constitution

Amendment I

"Congress shall make no law . . . abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances."

Amendment V

"No person shall . . . be deprived of life, liberty, or property without due process of law; nor shall private property be taken for public use, without just compensation."

Amendment XIV

"No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws."

Statutes

United States Code, Title 28, § 1343. Civil rights and elective franchise.

"The district courts shall have original jurisdiction of any civil action authorized by law to be commenced by any person:

* * * *

"(3) To redress the deprivation, under color of any State law, statute, ordinance, regulation, custom or usage, of any right, privilege or immunity secured by the Constitution of the United States or by any Act of Congress

providing for equal rights of citizens or of all persons within the jurisdiction of the United States;

"(4) To recover damages or to secure equitable or other relief under any Act of Congress providing for the protection of civil rights, including the right to vote. . . ."

United States Code, Title 42, § 1983. Civil action for deprivation of rights.

"Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State . . . subjects, or causes to be subjected, any . . . person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress."

Oregon Revised Statutes § 164.460. Entry on lands and refusal to depart; what constitutes inclosure.

"(1) Any person, other than an officer on lawful business, who goes or trespasses upon any inclosed lands or premises not his own, and upon verbal, written or printed notice of the owner or person in lawful occupation of the lands or premises fails or refuses to depart therefrom immediately and remain away until permitted to return, shall be punished upon conviction of a fine of not more than $50."

Portland City Ordinance § 16-613. Trespass.

"(a) It is unlawful for any person other than an officer on lawful business wilfully to trespass upon or damage any real or personal property of another.

"(b) It shall be deemed a trespass under this section to enter or be upon any enclosed real property without

the consent, express or implied, of the owner or lawful occupant of the real property.

"(c) It shall be deemed a trespass under this section to enter or be upon any real property not enclosed when upon oral, written or printed notice of the owner or lawful occupant of the real property, the person entering or being thereon fails or refuses to depart therefrom immediately and remain away until permitted to return."